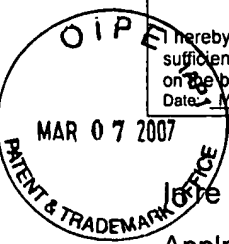


3692



CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
 Date: March 5, 2007 Name: Kent E. Genin Signature: *Kent E. Genin*

**BRINKS
HOFFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: D. Schmitz et al.
 Appln. No.: 09/896,061
 Filed: June 29, 2001
 For: Automated Execution System Having Participation
 Attorney Docket No: 11927/90

Examiner: F. Poinvil
 Art Unit: 3692

Mail Stop Amendment
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Transmittal (in duplicate); Supplemental Information Disclosure Statement; PTO Form 1449; One Copy of References B1-B13
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity		
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra		Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus				x \$25=			x \$50=	
Indep.		Minus				x 100=			x \$200=	
First Presentation of Multiple Dep. Claim						+\$180=			+\$360=	
						Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____ . A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

March 5, 2007
 Date

Respectfully submitted,
Kent E. Genin
 Kent E. Genin (Reg. No. 37,834)

**BRINKS
HOFFER
GILSON
& LIONE**

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450.
on March 5, 2007

Date of Deposit

Kent E. Genin

Name of applicant, assignee or
Registered Representative

Signature

Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: D. Schmitz et al.

Appln. No.: 09/896,061

Filed: June 29, 2001

For: Automated Execution System
Having Participation

Attorney Docket No: 11927/90

Examiner: F. Poinvil

Art Unit: 3692

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicants hereby cite the following reference(s):

OTHER ART

SEC Notice, Release No. 34-51107, SR-CBOE-2004-75, Federal Register
Vol. 70, No. 23, dated Friday, February 4, 2005, pgs. 6051-6057

PCS Plus The Pacific Exchange, PCX Plus Overview, October 9, 2003, six
pages

Evans et al. "The Effects of Electronic Trading System On Open-outcry Commodity Exchange", Social Science 410, November, 1998

Wang, G. et al. "Information Transmission and Electronic Versus Open Outcry Trading Systems: An Intraday Analysis of E-Mini S&P 500 Futures, S&P 500 Index Futures and S&P 500 Cash Index", paper presented in Thailand on December 3-4, 2001

Tsang, R. "Open outcry and electronic trading in futures exchanges", Bank of Canada Review, Spring 1999, pp 21-39

Elind Computers Private LMTD, "Online Global Trading System for Marketplaces", brochure, dated 2002

C. Danis, et al. "Alternatives to an Open Outcry Market: An Issue of Supporting Cooperation in a Competitive Situation", IBM TJ Watson Research Center, USA, believed to have been published prior to April 24, 2003

Clemens et al., "Segmentation, differentiation, and flexible pricing: Experiences with information technology and segment-tailored strategies", Journal of Management Information Systems: JMIS, Vol. 11, No. 2, pp 9-36, Fall 1994

"Squeezing the poor", Guardian, p8, Feb. 11, 1997

"La libre competencia sacude a las electricas", Actualidad Economica, p. 18, Sept. 30, 1996

Souter, Gavin, "Bermuda's reinsurers eager to please", Business Insurance, Vol. 28, No. 44, p. 77, October 31, 1994

"The Electronic Component", The Options Institute Online Learning Center, obtained at the internet address:
http://www.cboe.com/LearnCenter/cboeeducation/Course_02_02/mod_02_03.html, dated 2003

"Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change and Amendment No. 1 Thereto by the Pacific Exchange, Inc. Relating to the Exchange's New Trading Platform for Options, PCX Plus", 67 Fed. Reg. 69,580 – 69, 592 (Nov. 18, 2002)

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of

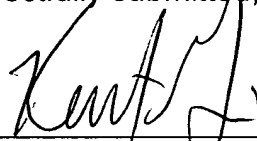
the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

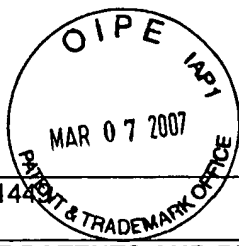
Applicants have calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

March 5, 2007
Date

Respectfully submitted,



Kent E. Genin (Reg. No. 37,834)



FORM PTO-1449	SERIAL NO. 09/896,061	CASE NO. 11927/90
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE June 29, 2001	GROUP ART UNIT 3692
(use several sheets if necessary)	APPLICANT(S): D. Schmitz et al.	

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS (Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.	
	B1	SEC Notice, Release No. 34-51107, SR-CBOE-2004-75, Federal Register Vol. 70, No. 23, dated Friday, February 4, 2005, pgs. 6051-6057
	B2	PCS Plus The Pacific Exchange, PCX Plus Overview, October 9, 2003, six pages
	B3	Evans et al. "The Effects of Electronic Trading System On Open-outcry Commodity Exchange", Social Science 410, November, 1998
	B4	Wang, G. et al. "Information Transmission and Electronic Versus Open Outcry Trading Systems: An Intraday Analysis of E-Mini S&P 500 Futures, S&P 500 Index Futures and S&P 500 Cash Index", paper presented in Thailand on December 3-4, 2001
	B5	Tsang, R. "Open outcry and electronic trading in futures exchanges", Bank of Canada Review, Spring 1999, pp 21-39
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	B8	Clemens et al., "Segmentation, differentiation, and flexible pricing: Experiences with information technology and segment-tailored strategies", Journal of Management Information Systems: JMIS, Vol. 11, No. 2, pp 9-36, Fall 1994
	B9	"Squeezing the poor", Guardian, p8, Feb. 11, 1997
	B10	"La libre competencia sacude a las electricas", Actualidad Economica, p. 18, Sept. 30, 1996
	B11	Souter, Gavin, "Bermuda's reinsurers eager to please", Business Insurance, Vol. 28, No. 44, p. 77, October 31, 1994
	B12	"The Electronic Component", The Options Institute Online Learning Center, obtained at the internet address: http://www.cboe.com/LearnCenter/cboeeducation/Course_02_02/mod_02_03.html dated 2003
	B13	"Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change and Amendment No. 1 Thereto by the Pacific Exchange, Inc. Relating to the Exchange's New Trading Platform for Options, PCX Plus", 67 Fed. Reg. 69,580 – 69, 592 (Nov. 18, 2002)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.